

REGULATIONS GOVERNING ON-SITE SEWAGE DISPOSAL and ON-SITE WATER SUPPLY SYSTEM EVALUATION and MAINTENANCE in MACOMB COUNTY MICHIGAN

Frequently Asked Questions

When did this regulation go into effect?

The regulation went into effect August 1, 2002 and applies to all properties that utilize an on-site sewage disposal system or on-site water supply system.

Who is responsible for having the evaluation done?

The owner is responsible for making sure the evaluation is done.

Who can do the evaluation?

A private evaluator who is registered with the Macomb County Health Department or the Macomb County Health Department can do the evaluation.

When does this evaluation need to be done?

The evaluation report must be completed and submitted to the Macomb County Health Department at least five (5) days prior to closing. However, the sooner the evaluation is done the less likely a delay will be incurred.

Is it necessary for the building to be occupied?

Yes. The building must be occupied on a full time basis or vacancy of the building must have occurred less than ten (10) days prior to the evaluation.

How long are evaluations good for?

Evaluations are valid for one (1) year from the date of the evaluation.

Are there any sites that may be exempt?

Yes. A site may be exempt if any of the following conditions exist. Written documentation must be provided to the Health Department.

1. If the site will be connected to municipal water and/or sewer within 6 months of the transfer.
2. During the first 3 years of original occupancy. Or, during the first 3 years of a home utilizing an approved conventional replacement on-site sewage disposal system.
3. If an evaluation has been done, in accordance with the regulations, within the previous 12 months and the report has been filed with the Health Department.
4. If a site is only being refinanced.
5. If the site is scheduled for immediate demolishing.
6. If the value of the consideration of the sale is less than \$100.00.

7. Transfers from a husband or wife or husband and wife creating or disjoining a tenancy by the entirety in the grantor or the grantor and his or her spouse.
8. Transfers due to judgements or court orders making or ordering the transfer, except where monetary consideration is specified or ordered by the court.
9. Transfers that create a joint tenancy where at least one person already owns the property.

Who has access to these records?

These records are available to the public under the Freedom of Information Act.

If an evaluation "fails" will that hold up or prevent the sale from being completed?

No. If the repairs can not be completed prior to closing, then a corrective action plan shall be filed with the department and money shall be set aside in an escrow account for the corrections. It is required that repairs be completed within 180 days after this Department approves the corrective action plan.